The Brauer Case.

The Brauer Case.

Throughout the city yesterday one of the chief topics of discussion was the decision of the committee denying the certificate of election to Mr. Brauer, the nomines. Not a little interest was mainfested, and the matter was quite thoroughly discussed on all its sides.

The attorneys for Mr. Brauer and the nomines himself are not a little discussional desired the committee. Mr. Brauer declines to talk other than to state that he will fight the case to the bitter end. He wants to know how the committee can take the certificate from him for treating and give one to Wendenburg, when he was charged with doing the same thing. His attorneys declars that the matter will be fought ditch to ditch. They will go before the state Committee to-morrow with an appeal; they will fight the present commity will fight the present commit-enrice on the ground that it is lawful committee, and that it

peal; they will fight the present committee of Henrico on the ground that it is not the lawful committee, and that it presumed to investigate where it had no authority; they will go to the courts and to the Supreme Court if necessary to compel the Henrico committee to "give us justice." The matter can be reached through the courts by a mandamus to compel the committee to show cause why a certificate of election should not issue to W. H. Brauer. Incidentally the validity of the Barksdale law and the laterpretation of that law would have to be brought up and passed upon.

"The decision is the most monstrous that was ever rendered by any thirteen men," said Major Sands yesterday. "It seems to have been without reference or regard to the testimony, but to have been dictated by personal preference in the primary. We rejoice that there is a committee to which we can appeal, and which can give a verdict of fairness between man and man. We have no favors to ask of the Henrico committee. The decision is nothing more than I expected from the start."

The Henrico committee, on the other hand, holds, and it is prepared to contend, that the State committee has no jurisdiction whatsoever over it, It does not anticipate any interference by that body. It holds that it is a legalized committee, acting under the authorization of law, and that it is subject to the will and dictation of no higher committee. So far as Henrico county is concerned, it is the head and foot and the State committee cannot interfere with it. With reference to the charge that it is not leaving contended the state committee cannot interfere with it. With reference to the charge that it is not ease the whole election null and void, in which case the newly elected committee itself would be delared non-existent.

The special interest that attaches to

A Delicate Position.

case the newly elected committee itself would be declared non-existent.

A Delicate Position.

The special interest that attaches to every move made by the committee is due to the fact that this is the first contest that has yet arisen under the Barksdale law, and that important precedents may now be set. The committee is composed of gendlemen who are earnessly striving to see the law entered and to purify elections in the county. Whether of not their decisions are right and proper is another matter. The committee, as a committee, is doing as it conscientiously believes to be right. Its position is an unusually delicate and difficult one. The path is new: there are no precedents to follow; unassisted by unpartisan legal advice, it has to carve its own way. Whether it has done this well and wisely can be judged by each man for himself from the results.

The suggestion that the committee will end by having an investigation in general and declare the whole election null and void and order a new one is a suggestion will end it. No other charges have been filed, and it is too late now to fle them. So the election will stand after the committee has disposed of the treasurership. There has also been some question raised as to the criminal prosecution of candidates found guilty of violation of the Barksdale law. This point is yet undecided. Mr. Ruffin was of the opinion yesterday that the committee would probably not report to the grand jury. Approminent local attorney declared later that the grand jury would have to take cognizance of the matter whether the committee reported or not.

Contradictory statements have been made with reference to the standing of the committee reported or not.

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Contradictory sta

o him the certificate, was passed Upon this final and deciding line-e committee stood eleven to two in these statements is not given, but they are made with positive certainty. The two men who voted for Brauer are E. S. Kellam, secretary of the committee, and James M. Eanes.

The Hearing.

The hearing of the Wendenburg-Throck-morton case began a little after noon. The crowd was rather smaller than usual and not so many members of the com-mittee were present as on the day pro-vious. They came in during the morning, however.

Nowever.
Secretary Kellam, who said Tuesday night that he would not attend and that he would probably resign; was conspicuous by his absence. Mr. Joseph A. Johnston was appointed to serve in his place. The other members of the committee present were as follows: Messrs. T. C. Ruffin, Lewis F. Meyer, F. Ellis Jones, L. P. Michaels, George C. Gregory, Thomas F. Bagby, J. W. Taylor, Myer Angle, H. S. Winston, J. M. Eanes and W. K. Bache.

Bhortly after the committee was called to order by Chairman Ruffin, the amended petition of Mr Throckmorton making certain specifications against Mr. Wendenburg was presented and read. It charged

burg was presented and read. It charged that the Commonwealth's Attorney-elec-

burg was presented and read. It charged that the Commonwealth's Attorney-elect had violated not only the Barksdale pure election law, but also the spirit of the resolutions adopted by the committee, pledging itself to see that said Barksdale law was observed by all candidates before said primary, and, also, the plan adopted by the committee governing the primary election. The following instances were specified:

1. That some time during the canvasa preceding said primary election the said L. O. Wendenburg, in company with E. S. Reigs, a voter in said county, went into the bar-room of George E. Anderson, on West Cary Street, in Shumaker's Precinct in said county, and treated about twenty woters to drinks, giving the barkeeper a 45 bill and received back in change about 50 cents.

2. That on the same day he went to the

Jonstipation

Headache, billiousness, heartburn, in ilgestion, and all liver ills are cured by





round and ample. Take ample time-look around and you'll find the big things

Fall Suits and Top Coatsready; as well as Shoes, Hats and all other togs.



West Cary Street, near said precinct and also treated a number of voters. 3. That on the day of registration as Shumaker's Precinct, August 29, 1903, said Wendenburg went into said Anderson's bar-room and treated a number of voters

Wendenburg went into said Anterson's bar-room and treated a number of voters to drinks and cigars.

4. That during said canvass, said Wendenburg frequently visited the bar-room of Washington Bottoms, at Thirtieth and P Streets, in the vicinity of Hardin's Shop Precinct, in said county, and treated voters to drinks and cigars.

5. That said Wendenburg also wisited the bar-room of Herbert, Floyd, on Brook road, in Jones' Precinct, in said county, and treated voters.

The paper closed with the statement that the petitioner stood ready to cite other instances if the committee deemed it necessary. The petitioner charged in conclusion that the treating done by said Wendenburg in the instances cited above was done by him with intential to directly or indirectly influence voters in his behalf. behalf.

The anner by the defense was very brief, and formal. It raised the question of jurisdiction already passed upon by the committee. It read as follows:
"This respondent pleads to the notice of contest filed by C. W. Throckmorton

contest filed by C. W. Throckmorton against him as the nominee of the Democratic party for the office of Commonwealth's Attorney of Henrico county, that your committee is without jurisdiction."

Mr. Smith then proceeded to ask that the original paper filed by Mr. Throckmorton be dismissed. The committee itself had decided that it was inafequate and that a new paper, with specifications, must be filed. This second paper had been presented, and the investigation should be under it, and the first inadequate petition should be dismissed. Mr. O'Flaherty objected to this on the ground that Mr. Smith wished to have the first inaper inrown out and then have the whole case dismissed because the second paper had not been filed before September 13th, the day after which no notice of contest could be filed. The committee, through its chairman, ruled that the amended petition was a part of the original paper, and that the case should be heard under both of them.

Failing in this effort, Mr. Smith filed third brief, formal paper, It read as follows:

"This respondent, in answer to the charges made by C. W. Throckmorton against him as the nominee of the Demo-

follows:
"This respondent, in answer to the charges made by C. W. Throckmorton against him, as the nominee of the Democratic party for the office of Commonwealth's Attorney of Henrico county, says that the charges are not true.

The Single Witness.

he must show clearly that Mr. Wendenburg treated with a view to influencing votes.

The first witness was Mr. Michael Burger, who testified the day before in the Brauer case. He said that early in July Wendenburg visited Wash. Bottoms' salcon and treated fifteen or twenty people there to drinks and cigars. The majority of the men were voters in the county. During the two months preceding the primary witness saw Wendenburg at Bottoms' place frequently—once or twice a week—and saw him treat every time. So far as he knew nobody else treated. Wendenburg was talking about his candidacy and asking people to vote for him. He never made distinction among the people he treated, but gave drinks to everybody there—supporters of himself, supporters of Bryant, voters in Henrico and voters in Kichmond, who had nothing to do with the county primary. Burger himself was a Bryant man and voted for Bryant. He said he was not influenced by Mr. Wendenburg's drinks. He had known Wendenburg many years and had always known him as a man who liked to treat his friends. He had, asked witness to drink with him long before the primary was ever thought about.

In the course of his testimony Mr. Burger said he had never seen Wendenburg at Bottoms' place before the canvass. He had been there since—was there on Monday last—and treated the crowd again. "After the specification was filed?" asked Mr. O'Flaherty. "Yes."

"After the specification asked Mr. O'Flaherty.

"Was he there between the primary and the time the specifications were

Mr. Smith objected to ejaculations on the part of counsel, and the two lawyers sparred with each other for a while.

To the great surprise of the audience and the committee, the investigation came to an abrupt close at this point. The committee adjourned at 1 o'clock for din-ner and returned in about an hour for work

As soon as the body was called to order again Mr. O'Flaherty arose and stated that the prosecution had decided to rest its case where it stood without any cumulative evidence. The questions involved had been gone over thoroughly in the Brauer affair and the prosecution had decided to submit the case without argument. Mr. Smith interposed no particular objections, and the committee thereupon retired to consider the matter before it. The defense did not deem it necessary to introduce a single witness.

The Verdict.

The Verdict.

It took the committee about twenty-five minutes to reach a conclusion in the case. They retired about 2:10 and returned about 2:25 with the following verdict:

the unanimous opinion that treating numbers of woters during the candidacy of the person so treating with the intent and purpose of influencing the said voters in behalf of the said candidates does clearly come within the scope of the Barkadie pure election law, and should be punished accordingly, but in the case of Throckmorton vs. Wendenburg now pending before this committee, we are further of the opinion that no evidence has been adduced to prove the charges, and the case is, therefore, dismissed."

T. C. RUFFIN.

Chairman.

JOSEPH A. JOHNSTON, JOSEPH A. JOHNSTON,
Acting Secretary.

Mr. Smith arose and thanked the committee, and with his client and colleague
left the room. The friends of Mr. Wendenburg crowded around him, shook his
hand, and congratulated him.

Hechler-Todd Matter.

Hechler-Todd Matter.

A long and rambling discussion developed when it was further announced by the committee that it had set Saturday morning next at 10 o'clock for the hearing of the charge against Messis. Hechler and Todd. Mr. O'Flaherty objected on the ground that the charges were not filed in time, and that under the law the committee could not go into any matter brought to its attention after September 13th. Several members of the committee spoke and finally orde or two of them struck the keynote when they declared that they would have to award the certificate to some man fit for the position; that the only way to judge of the fitness of Hechler and Todd was to investigate the charges brought against them which charges could not be is nored; and that if neither prove the lay ful claimants to the certificate a midetoid on will be ordered. Two or the members of the committee agreed will Mr. O'Flaherty and thought that the crist-mittee could not go into the chilant.

It was finally decided that the emittee could not go into the chilant.

all.

It was finally decided that the desired should take the question up decided it is had a right to so into the charges. If it had a day for the hearing would be fixed, and Mr. O'Figherty said he would be present to answer the specifications; it on the other hand, it had not then the charges would be dismissed.

The Westl Case. The World Case.

fications; it on the enter mand, it may not then the charges would be dismissed.

The matter commonly, but erroneously, known as the Wyatt-Lewis contest, was next gone into. It was charged by Mr. Wyatt that there were certain irregularities at Shumaker's precinct and he asked that the votes cast there be eliminated from the count. The chief ground for this contention was that fifty-seven ballots irregularly voted in reference to the office of magistrate for which Mr. Wyatt was a candidate had been torn up and destroyed astead of being returned to the committee, as was required by law. While it was a fact that Wyatt would not have been elected if all the fifty-seven votes were conceded to him, still his counsel. Mr. Roscher, contended that there might be other discrepancies which might affect the result.

The precinct book was gotten out and it was shown that while 529 votes had been cast, only 479 were returned. This left a discrepancy of fifty votes, which would not affect Wyatt one way or the other. The committee theroupon determined to dismiss the paper of Mr. Wyatt.

There still remained, however, a very delicate question. No charge was brought against the judges of election, but, whether innocentity of not, they had flagranty violated the law in not returning the ballots thrown out to the committee. And hallot properly with reference to a particular office, this letter office is the only one affected. The vote counts as to all of the others. But the Shumaker judges had thrown the whole ticket out because the magistrates were not scratched right. It was shown, however, that these fifty votes would not have affected the election in any important particulars.

A fight was made, however, to throw out the whole precinct on the ground of

aftected the election in any important particulars.

A fight was made, however, to throw out the whole precinct on the ground of irregularity, and if this were done it would change the whole face of the returns, upset the nominations completely, and create confusion generally. From the committee retired with a shudder, it settled the question when it dismissed the petition of Mr. Wyatt and refused to eliminate the precinct because fifty irregularly marked ballots had been innocently destroyed. Still the three judges were summended to appear and make an explanation, and there may yet be some interesting developments in this connection.

The Wyatt hearing, brief as it was, was very interesting. At one time 'Squire Lewis charged the petitioner with violation of the Barksdale law.

Will investigate Further.

Will investigate Further.

After the disposition of this matter the committee took up the Hechler-Todd matter again. A pretty warm message from Major Sands to the committee was reported, but the counsel for Mr. Brauer expressed his willingness to assist the committee in any way possible if it wished to go into an investigation of Hechler and Todd. The committee thereupon retired for a consideration of the matter in executive session. It returned after a short while and announced that it would proceed with the investigation of Hechler and Todd at the hour originally fixed upon.

The committee thereupon adjourned until 19 o'clock on Saturday morning next. Will Investigate Further.

HECHLER AND TODD

Some Idea of the Charges that Will Be Brought.

Brought.

The discussion of the Henrico Committee to investigate into the belated charges against Hechier and Todd is based on the ground that it has under the law to award the certificate to the man "entitled" thereto. No violator of the law is entitled to the certificate and the only way to ascertain the standing of Hechier and Todd is to investigate the charges brought against them. If neither is found to be entitled to the certificate, then a new election will be called for, in which election Mr. Brauer may run if he sees fit.

be entitled to the certificate, then a new election will be called for, in which the forms the primary was ever thought about.

In the course of his testimony Mr. Burrer said he had never seen Wendenburg it Bottoms' place before the canvass. He had been there since—was there on Montay last-and treated the crowd again.

"After the specification was filed?" "Yes."

"Was he there between the primary and the time the specifications were sided?"

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An Abrupt End.

To the great surprise of the audience and returned in about an hour fowerk.

As soon as the body was called to order again Mr. O'Flaherty arose and stated that the prosecution had decided to submit the case without argument Mr. Smith interposed no particular objections, and the committee the provestion had decided to submit the case without argument. Mr. Smith interposed no particular objections, and the committee therefore it. The defense did not deem it necessary to introduce a single witness.

The Verdict.

It took the committee about twentyre minutes to reach a conclusion in the case. They retired about 2:19 and returned about 2:25 with the following verdict:

"Resolved, That this committee is of "Resolved, That this committee is of March in the promise of Again making said promise voice of the said leveller, and he the said Nuckols into the arrangement in violation of the said leveller, and he the said Nuckols into the promise of appointment to said office.

That and delected in making said promise violation of the part of March 24, 1993. That H. C. Hechler, as a supervised that the promise of appointment to said fertiles.

The Verdict,

It took the committee about twentyring minutes to reach a conclusion in the case. They retired about 2:19 and reduced the case of the primary to vote for said lechler, and he the said Nuckols in the promise of appointment to sa

FINE MILLINERY,

Sept. 30th and Oct. Ist, 21 EAST BROAD ST., COR. FIRST. R. L. BALL, Prop.

Second Floor Faulkner's Sto The following ladies are with me and will be glad to see their friends: Mrs. M. MOORE, Miss KATE SMITH, Miss ELLA BRYANT.

visor of said county of Henrico, and has under him the road overseer of District, and that this office is filled by One J. W. Taylor, a voter at Seven Pines Frechet, and that said Taylor has under him two men—Henry Combs and Gath vright—working in the roads of the county, and drawling a salary from the county of Henrico; that said Taylor for some days prior to the election and on the clay of the election, worked for the nomination of H. C. Hechier and at the same lime was paid a salary by the county and that the same is true of the said thenry Combs and Gathwright. All of this was done by and with the knowledge of H. C. Hechier and was permitted for the purpose of securing the support and influence of said parties.

That said Hechier approached a certain voter in Henrico (a supporter of said Brauer) and offered to give him 23 worth of work per year if he would give his support in said primary to the said voter.

Your respondent is informed and sad so

worth of work per year I he would give his support in said primary to the said incider, intending thereby to influence said voter.

Your respondent is informed and so charges that Jesse Binford, a son-in-land port H. C. Hechler agreed to pay \$5 if he would drive a wage for and support H. C. Hechler that this was done with the knowledge of H. C. Hechler and for the purpose or influencing voters.

Your respondent is also informed and states that Jesse Binford in the 2th instant approached Mr. The walker Jeter, a deputy of Mr. Brauer and stated that he, as far as the election was concerned, was through with it, and had advised Mr. Hechler to drop it and not bring a contest, but that if a charge was made that he had agreed to pay a voter for Mr. Hechler, he desired to explain the matter, if not he don't propose to mix up in the mat.

The son-in-law of Mr. Hechler having advised said Hechler not to bring said contest and to drop the same, your respondent does not deem it necessary to allege and prove other violations of the law comm 'ted by the said Hechler or his supporters, but if called on stands ready to do so.

Should your committee decide to consider that W. J. Todd is contesting the nomination of W. H. Brauer, in view of loss latter, then your petitioner desires an oppr-tunity to answer any charge he may bring, and to show that he, the said Todd, has violated the provisions of the Barksdale law, if that law is held applicable in a contest growing out of a primary election. Up to the present time Todd has made no claim to the nomination. This respondent says that he is informed and so believes that W. J. Todd spent a large sum of money in his knowledge and consent, spent a large sum of money in the interest of said Todd and for the purpose of influencing voters for said Todd.

U. S. Jurors Drawn.

U.S. Jurors Drawn.

Clerk Brady, of the United States District and Circuit Courts, has drawn the grand and petty Jury lists for the fall term of those irlbunals. There are twenty-three grand fury and twenty-four petit Jurors atimmoned but it is the policy of Judge Waddill not to announce these until they report here for service. They come from various counties and cities of the district. The grand jury is summoned for October 1th and the petit jury for October 8th.

Yesterday being the last day of the month, the revenue and postal officials were busy making up the reports of the business in their departments. The fruit brandy season is now on in the revenue service, and the gaugers are busy reg-istering the distillers.

West End Club.

This afternoon the West End Gun Club will have its last shoot of the season, and it promises to be a brilliant finale. The shoot will begin promptly at 4 o'clock. Those who contemplate taking part are urged to be on hand promptly. Shells will be on sale at the grounds. A large attendance and some fine shooting are assured.

First Blood for American. PHILADELPHIA, PA., Sept. 30.—The PHILADELPHIA, PA., Sept. 30.—The Philadelphia American and National League teams began a series of ten ex-nibition games to-day. The Philadel-phia Americans won by a score of 7 to 3.

WOMEN PLAY GOLF IN WIND AND RAIN

By Associated Press.)
CHICAGO GOLF GROUNDS, WHEATON, ILL, September 30.—Two rounds of
cighteen boles each through a cold wind
and drizzling rain tried the strength as
well as the golf skill of the golfers of the
Woman's National Tournament to-day,
and resulted in some surpriges.
The features of the day's play were
the defents of Mrs. Caleb Fox, of Huntington Valley, by Miss Bessie Anthony,
the Western champion, and Miss L. A.
Wells, of Brookline, runner-up to Mrs.
Stout in last year's tournament at the
hands of Miss "Johnny" Carpenter, of
Westward Ho, Miss Anthony disposed of
Mrs. R. H. Barlow, of Marlon, in clever
cashion in the morning round. Miss Fanny Usgood, of Brookline, won both of her
games 86 handlly that she is looked upon
as a very probable winner of the champlonship.

\$1.00 QUICKEST Round and Best GO ON THE TRIP ROUTE "TRILBY" **EXCURSION** NORFOLK TO NEXT SUNDAY. Norfolk & Western Ry. The Popular Leaves Route. Byrd-St. Change Station 8:30 A. M. Cars.

Autumn Opening METHODISTS OUTCLASSED

Randolph-Macon Boys Are Badly Beaten.

THE 'VARSITY MEN ROMPED

Had Little Difficulty in Pilling Up Score

of 37 to O in Thirty Minutes of Actual Play--Long Runs

(Special to The Times-Dispatch.)
CHARLOTTESVILLE, VA., September
33.—Randolph-Macon College was completely out-classed in to-day's game with
Virginia, the latter running up a total
of thirty-seven points in thirty minutes
of actual play.
Gresham Poe started his men of at a

Gresham Foe started his men off at a rapid pace and made them keep it up throughout. As a result the Methodists were bowled over like ten plns by Virginia's heavy line and the backs romped through as they pleased for long runs. Virginia enthusiasts were much pleased at the team's fast play and general improvement shown throughout. There was comparatively little fumbling. The visiting eleven proved very weak on defense, and had little opportunity to show how strong was their offense, as they only secured the ball two or three times during the contest, and then only when it was fumbled. Not once were they able to gain the necessary five yards. In the first half, Fellard sprinted for sixty and Heald for forty yards. Randolph and Heald for forty yards. Randolph and Council did most of the ground gaining in the second half.

THE LINE UP. The line up was as follows: Virginia. Position. Hull Position left end.....

(Robinson) Randolph left-half back Trevillar Vatkins. . . . right-half back. ..full-back.... Virginia, 37; Randolph-Macon, 0.
Touchdowns-Watkins, Council 2. Pollard,
Randolph 2. Goals from touchdownsElmer 2. Referee-Mr. Nalle. UmpireDaniel. Linesmen-Leake, Randolph-Macon, and Pratt, Virginia. TimekeepersJerdone, Randolph-Macon, and Brant,
Virginia. Virginia. Randolph-Macon

Yale's Victory.

(By Associated Press,)
NEW HAVEN, CONN, September 20.—
In a game that was onesided for the
first half and more exciting as a football game in beyond, Yale defeated Tufts
to-day by the score of 19 to 0.

Other Games. Lehigh 40, Manhattan College 0 Lenign 40, Mannatum College 9. University of Pennsylvania 17, Frank-lin and Marshall 0. Brown 23, Colby 0. Dartmouth 12, Mass. A. C. 0. Cornell 26, Alfred College 0. Princeton 34, Swarthsmore 0.

Harvard Wins Game

(By Associated Press.)
CAMBRIDGE, MASS. September 30.—
In a game marked by clean handling of the ball and perfect formation by Harvard, while her opponent, Bowdoin, played a ragged game, fumbling frequently, the crimson team won to-day by a score of 24 to 0.

MUCH TIME SPENT

the witness replying that Goldanes had told him about the shooting.

LENGTHY ARGUMENT.

Objection was raised by the defense to the admission of the statement, and a lengthy argument, lasting for about two half hours, ensued. The defense

Results of Day Were Surprises

Mrs. Caleb Fox Defeated

by Miss Anthony.

(By Associated Press.)

CHICAGO GOLF GROUNDE, WHEATON, ILL. September 39.—Two rounds of eighteen holes each through a cold wind and drizzling rain tried the strength as well as the golf skill of the golfers of the Woman's National Tournament to-day, and resulted in some surprises.

The features of the day's play were the defeats of Mrs. Caleb Fox, of Huntington Valley, by Miss Bessle Anthony, the Western champlon, and Miss L. A. Wells, of Brookline, runner-up to Mrs. Stout in last year's fournament at the hands of Miss 'Johnny' Carpenter, of Westward Ho. Miss Anthony disposed of Mrs. R. Barlow, of Marion, in clever fashion in the morning round. Miss Franny Osgood, of Brookline, won both of her

duction of a verbal statement if there were any written statements made by Gonzales.

THE STATEMENT.

When court reconvened at 3 P. M. Mr. Hoyt proceeded to give the statement. Mr. Hoyt said Mr. Gonzales made the following statement to him:

He said that he had left The State office to go to dinner; he was walking along Main Street towards the State Capitol and he got nearly to the city radway transfer station when he saw Jim Tillman coming from the Capitol with two men whom he didn't recognize; he said there were several people standing around the corner, and that he saw if he kept on his course along the edge of the pavement he would brush against the men, and, to avoid them, he cut diagonally across the pavement toward the corner of the transfer station, and as he was going across he saw Tillman pull a big pistol and shoot. He said he turned and faced him and exclaimed: "Shoot again, you coward. You have killed me." He looked Tillman in the face and Tillman held the pistol toward him, but did not shoot. He said that then some gentlemen ran up and helped him. He said that just about the time Tillman shot Tillman exclaimed, "I have done what you said," or "I have taken you at your word," or something like that.

CROSS-QUESTIONED.

The statement, he said, was made about half an hour after the shooting, Mr. Hoyt was questioned on cross-examination by Mr. Nelson, as to his feelings toward the defendant.

"Your feelings towards him are very wither?" rend't they Don't you feel

the defendant.

the defendant.
"Your feelings towards him are very bitter? aren't they. Don't you feel very revengeful about him?"
"Well, I don't think I harbor vengence against anybody."
"You don't feel hostile towards him?"
"That hardly expresses it."

aupose if I harbor vengence towards anybody, it would be toward him," replied the witness.

Q. (Mr. Nelson continuing.) "After the killing did not you write in the sharpest terms of him as a blackguard, a gambler, a drunkard and a murderer?"

A. "You will find in the—"

Q. "Don't tell what I will find. I am asking you did you write or not?"

A. "I did not write all that."

Q. "What did you write?"

A. "I wrote he was a cowardly assassin and signed my name to it, in the State, of January 16th."

Dr. C. W. Barron, of Columbia, was at the hospital, when Mr. Gonzales was brought there from The State office. He said he asked Mr. Gonzales within ten or fifteen minutes after he had been carried into the hospital: "Mr. Gonzales within ten or fifteen minutes after he had been carried into the hospital: "Mr. Gonzales within ten or fifteen minutes after he had been carried into the hospital: "Mr. Gonzales within ten or fifteen minutes after he had been carried into the hospital: "Mr. Gonzales within the further question:

"I'd do," the doctor said Gonzales replied, when witnesses said he asked him the further question:

"Do you understand that you will probably die?" The reply being, witness testified: "I do,"

The doctor said Mr. Gonzales had no

tified: "I do."

The doctor said Mr. Gonzales had no hope of recovering. He considered Gonzales in extremis.

Witness said Gonzales made a statement at the hospital which the witness said Gonzales said was a death state-

THE WOUND. Dr. J. Babcock, superintendent of the State Insane Hospital, saw Gonzales as he lay on the floor in The State office. He described the location of the bullet wounds and gave the opinion that a man receiving such wounds was on the point of death. Babcock also saw Gonzales at

wounds and gave the opinion that a man receiving such wounds was on the point of death. Babcock also saw Gonzales at the hospital just after he was removed there. Gonzales, he said, made a statement to hin. which he said he kook down in longhand notes. Reading from his notes he said the following were the words of Gonzales, as near as he could take it down:

"He had one man with him who was a particular friend of his, Talbird, another man, whose face I did not observe. I started for the State House as usual. As I got to the corner of Gorvals Street, I recognized Tillman. I knew if I kept on I would collide with hish as they were three abreast both on the outside. I cut diagonally across to the left, intending to turn the corner into Gervals Street, which I could have done without touching the inside man. As I got on the turn two or three feet from the exact corner, he pulled a pistol, or had it in his sleeve and fired and made some expression. The shock threw me around against the pillar on Main Street. I faced him. He pointed the pistol, I called him coward. He said I took your advice, or something to that effect. He put the pistol in his pocket and sauntered into the street. I never sont him a message. He said I have taken you at your word. I suppose he referred to something I said in an editorial in the campaign. He said tha after he had fired. I had no idoa of meeting him. I had seen him two days before in the lobby of the House. The thing was finished as far as I was concerned."

The statement was first given by the witness in the absence of the jury, the defense objecting to the introduction of the latter part, but subsequently withdrew the objection.

August Kolin, a newspaper writer, who him at that time in answer to a question that he (Gonzales) had not sent a message to Mr. Tillman. Court was adjourned at 6 o'clock, the

ing been completed

Wedding May Be Postponed. Wedding May Be Postponed.

(By Associated Press.)

NEWPORT, R. I., September 30.—News of the death of Ambassador Herbert in Switzerland, reached Mrs. Ogden-Goelet, sister of Mrs. Herbert, here to-day. What effect, if any, the event may have on the approaching marriage of Miss May Goelet to the Duko of Roxburgh, could not be stated.

At Ochre Court, Mrs. Goelet's residence, it was said that there had been no time to consider future plans.

The Noble Outcast.

A four-act drams, "The Noble Outcast," will be given at Daniel's School by his pupils to-night. Friends and pupils are cordially invited.

YOUNG HENRY WINS AUTUMN HANDICAP

Ten-to-One Shot Took Race Easily from Heavily Played Favorite.

(By Associated New YORK, Sept. 30.—Young at 10 to 1 is the betting, won the Autumn High-Weight Handicap at Morris Park to-day. Fuller rode a good race and the Thomas horse stepped the last six furlongs of the Wirrers' mile in 1:13, which equals the track record. J. A. Drake's added Adelbarch was heavily played, closing favorite, but had no chance with the star. Three favorites won. Summaries:

First race—handicap, the Eclipse course —Reliable (II to 10) first, King Pepper (8 and selection) and the face of the star (8 to 5) first, and the face of the star (8 to 7) first, and the face of the star (8 to 7) first, and the face of the star (8 to 7) first, and the face of the face of the star (8 to 7) first, and the face of the face of the star (8 to 7) first, and the face of the face of the star (8 to 7) first, and the face of the face of the star (8 to 7) first, and the face of the face of the face of the star (8 to 7) first, and the face of the face of the face of the star (8 to 7) first, and the face of Second race—last five furiongs of the Eelipse course—Firmmula (8 to 5) first, Yosan (15 to 1) second, Burdette (5 to 1) third. Time, 550.

Third race—Hurricane, selling, last five furiongs of Eelipse course—Juvenal Maxim (6 to 1) first, Tepee (20 to 1) second, Dick Turpin (10 to 3) third. Time, 159 3-4.

Fourth race—the Witthers' mijle—Runnels (1 to 2) first, End News (2 to 1) second, Black Fox (20 to 1) third. Time, 139 3-4.

Fifth race—High-Weight Handicap, last 39 3-4.
Fifth race—High-Weight Handicap, last kt furlongs of Withers' mile—Young denry (10 to 1) first, Race King (7 become Divinitation (6 to 1) third.

l'ine 113. Bixth race—selling, one mile and a six-leenth, over the hill—Tribes Hill (8 to 1) first. Hoodwink (6 to 5) second, Poten-tate (7 to 5) third. Time, 147. RACE RESULTS ON HARLEM RACE TRACK

(By Associated Press.)
CHICAGO, ILL., Sept. 39.—Results at Harlem:
First race—five and a half furlongs—Janet Fonzo (3 to 1) first. Tribune (15 to 1) second. A. Commoner (20 to 1) third.
Second race—Steeplechase, short course—Falella (10 to 1) first. J. E. Oweng (7 to 1) second, Mr. Rose (9 to 5) third. Time, 3:35.

second, Mr. Ross to to or mile 3:35.

Third race—Kinzie Handlcap, one mile and a sixteenth—Lady Joselyn (3 to 4) first, Rockaway (9 to 2) second, Lendin (10 to 1) third. Time, 1:48 2:5.

Fourth race—seven furlongs—Walnamonen (12 to 5) first, St. Tammany (10 to 1) second. The Don (5 to 2) third. Time, 1:27 3:6.

nen (12 to 5) first, St. Tammany (10 to 1) second, The Don (5 to 2) third. Time, 1:273-5. Fifth race-five and a half furlongs-Dlok Bernard (3 to 2) first, King Elsworth (4 to 1) second, My Gem (12 to 1) third. Time, 1:072-5. Sixth race-one mile and three sixtenths—O'Hagen (4 to 1) first, Carat (3 to 1) second, Tancred (5 to 1) third. Time, 2:004-5.

Racing at Heathsville.

(Special to The Times-Dispatch.)
WARSAW, VA., Sept. 33.—The annual
fair of the Northern Neck Agrucultural.
Association began at Heathsville to-day.
There was only one race, Blackenoro's
Frince Edward winning in straight heata
in a contest of one-half mile, best three
in five, over Cooper's and Beafley's
Blackbird.

Nolson. "I felt very indignant towards the man who had killed my best, friend, and I suppose if I harbor vengence towards anybody, it would be toward him," replied the witness. Q. (Mr. Nelson continuing.) "After the killing did not you write in the space anybody. BY CAVE-IN

The Superintendent of Public Works of Columbus Killed.

QUICK WORK OF RESCUE

Fire Department Was Called Out and Dug Five Men Out of Dirt-Two Were Fatally Hurt-A Second Accident,

(By Associated Press.)
COLUMBUS, GA., September 30.—While
making measurements in a deep trench
in a public street here this afternoon,
Superintendent of Public Works Robert L. Johnson, and a negro workman, Brad Smith, were killed by a mass of dirt caving in on them. The alarm was given immediately and a force of workmen were sent to rescue the men. While this force was at work, a second cave in followed, burying seven or eight men. Mayor Chappell ordered the hook and ladder truck of the Fire Department to the scene with several firemen to help in the work of resoue. Quick work saved the lives of five workmen, who were dug out of the trench, but two of them are fatally hurt.

The bodies of Johnson and the negree Smith were recovered.

The injured men were sent to their homes and physicians are giving them L. Johnson, and a negro workman, Brac

homes and physicians are giving them

medical attention.

Superintendent Johnson was one of the best known civil and municipal engineers in the South. He was formerly engaged in government work. He leaves a wife and four children.

OBITUARY.

Mrs. Mary Echols Kirtner.

Mrs. Mary Echols Kirtner.

(Special to The Times-Dispatch.)
RADFORD. VA. September 30.—The funeral of Mrs. Mary Echols Kirtner, wife of Mr. Ernest Kirtner, whose death ocurred Sunday at her home, in Bluefelld, was held from the First Baptist Church, in East Radford, Tuesday afternoon. The church was filled with sorrowing friends and the Odd-Fellows of Montcomery Lodge, No. 181, and Central Lodge, No. 193, with members of the Bluefield Lodge, to which her husband belonged, attended in a body. The services were conducted by the pastor, Rov. M. P. Cooper, assisted by Rev. L. W. Irwin, Rev. Thomas Friddy, Rev. J. L. Prater and Rev. James Dixon. Interment was made at East Radford Cemetery.
Mrs. Kirtner, prior to her marriage, was Miss Mary Echols, of East Radford, and as manager of the telephone exchange was known and liked by everybody in town. No telephone operator was ever more accommodating, aimiable and efficient. She was a fine young woman and highly esteemed. She had been married less than a year and a half, when stricken with typhold fever, from which her death occurred, after a five-weeks' illness. She leaves a husband. Mr. Ernest Kirtner, a merchant of Bluefield, and a mother and father, a brother and sister in East Radford.

George A. Ball.

in East Radford.

(Special to The Times-Dispatch.)

LEESBURG, VA., September M., George A. Ball. of this county, died on Tuesday at 2:30 o'clock in the afternoon at his home in Paeonian Spring, from heart trouble, aged about fifty. He is survived by his wife and four children, three daughters and one son, Missee (Lizzle, Nannie and Susie Ball, and Mr. George A. Ball, Jr., all of Paeonian Springs, He was buried in Leesburg, the Rev. Mr. Brydon, of Hamilton, officiating on Wednesday afternoon. Mr. Ball was a very prominent citizen of this county.

Mrs. Mary Cottrel! Turner.

(Special to The Times-Dispatch.)
LYNCHBURG. VA., Sept. 30.—Mrs.
Mry Cottrel! Turner, wife of Dr. W. B.
Turner, of near Little Rook Ark., died
this morning at the residence of Mr. R.
W. A. Horner. Mrs. Turner was a daughter of the late Richard H. Cottrel, of
Richmond. She was a member of the
First Baptist Church of this city, and is
survived by three sisters—Mrs. Dr. J. S.
T. Baird, of Asheville, N. C.; Mrs. W. D.
Diuguid, of this city, and Miss Emily
Cottrell, of the Baptist Orphanage, Salem,
M. E. Boswell.

Cottrell, of the Baptist Orphanage, Salem,
M. E. Boswell.

(Special to The Times-Dispatch.)
SAXE, VA., Sept. 30.—After a lingering liliness of four months with typhold fever, Mr. M. E. Boswell died at his home Saturday morning. He is survived by a mother, two brothers and four sisters. The remains were laid to reat in the family burying ground. The burial services were conducted by Rev. Mr. Granbery.

6 iss Daisy Sullivan.
(Special to The Times-Dispatch.)

BLACK.—Died, at the residence of her husband, George H. Black, Sr., No. 231 South Linden Street, Wednesday, September 20th, at 10:20 P. M., SARAH M. BLACK, in the fiftieth year of her age, She is survived by six children, two sons and four daughters—George H. Black, 1r. of Richmond; William R. Black, of Elizabeth, N. J.; Mrs. Thomas E. Shaw of Richmond; Mrs. J. M. Yemmons, of Camden, N. J.; Mrs. H. Jackson, of Charleston, W. Va., and Mrs. Philadelphia, Newport News.

Philadelphia, Newport News.

Philadelphia, Newport News and West Virginia papers please copy.

Funeral notice later.



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